

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN**

FLOYD L. SEMONS,

Plaintiff,

v.

Case No. 23-CV-1497

HANNAH UTTER, *et al.*,

Defendants.

ORDER

On April 28, 2025, *pro se* plaintiff Floyd L. Semons filed a motion to compel (ECF No. 103), a motion for reconsideration (ECF No. 104), and a motion to appoint counsel (ECF No. 105). This order resolves these motions.

In his motion to compel Semons takes issue with the court's April 17, 2025, ruling on his motion for leave to file a sur-reply and amend his complaint. (ECF No. 102.) He also states that the defendants still have not properly replied to his discovery requests as they relate to a defendant he is attempting to add at this late stage in the case. The court has already addressed why Semons cannot seek discovery or add Dr. Panos as a defendant. (*See, e.g.* ECF No. 102.) Discovery is closed. Summary judgment is fully briefed. Semons's motion to compel is denied.

Similarly, Semons's motion for reconsideration of the court's April 17, 2025, order is also denied. Semons takes issue with the court's reasoning for disallowing a sur-reply and an amended complaint, which is not a basis for a motion for reconsideration. *See Oto*

v. Metropolitan Life Ins. Co., 244 F.3d 601, 606 (7th Cir. 2000) (holding that a motion that “merely took umbrage with the court’s ruling and rehashed arguments” was properly rejected by the district court).

As for Semons’s motion to appoint counsel, the defendants’ motion for summary judgment on the merits is fully briefed and awaiting resolution. At this stage in the case there is nothing for a lawyer to assist Semons with. Should the case survived summary judgment, Semons may renew his motion.

IT IS THEREFORE ORDERED that Semons’s motion to compel (ECF No. 103) is **DENIED**.

IT IS FURTHER ORDERED that Semons’s motion for reconsideration (ECF No. 104) is **DENIED**.

IT IS FURTHER ORDERED that Semons’s motion to appoint counsel (ECF No. 105) is **DENIED without prejudice**.

Dated in Milwaukee, Wisconsin this 29th day of April, 2025.

BY THE COURT

A handwritten signature in black ink that reads "William E. Duffin". The signature is written in a cursive, flowing style with a horizontal line underneath the name.

WILLIAM E. DUFFIN
United States Magistrate Judge